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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,152	01/28/2004	Grigory Yezersky	705789US2	1959

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EXAMINER	
BLOUNT, ERIC	

ART UNIT	PAPER NUMBER
2636	

DATE MAILED: 01/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/766,152	YEZERSKY ET AL.	
	Examiner	Art Unit	
	Eric M. Blount	2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 October 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments see amendment filed October 18, 2005, with respect to the rejection(s) of claim(s) 1-15 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Chuang [U.S. Patent No. 5,777,571].

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-3, 7-9, and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chuang [U.S. Patent No. 5,777,571] in view of Flick [U.S. Patent No. 6,346,876].

As for **claims 1 and 7**, Chuang discloses a remote control system (Figures 5 & 6). The system comprises a fob (4) having a microphone (41) for receiving audible commands and a radio frequency transmitter (44) for transmitting the commands at a radio frequency via a fob antenna (45) (column 4, lines 48-57). A receiver (3) is positioned remote from the fob (4). The receiver (3) has an antenna (30) for receiving commands at a radio frequency, a

demodulator (32) for recovering said commands, and a processor (36) for decoding the recovered commands (column 4, lines 7-19). Chuang does not specifically disclose that the processor is for a vehicle and that commands are processed based on vehicle configuration information. However, Chuang discloses a generic remote control system. It would have been obvious that the components taught by Chuang would function the same regardless of the device they were installed on. Further, it is obvious that a device, for example, a car, would be configured to perform particular functions based on the features included on the car. One of ordinary skill in the art would recognize that a command from a fob to control the doors of a vehicle to be locked would be processed and if the vehicle contained automatic door locks, the locks would indeed be locked. If the car did not contain automatic door locks, no action would be taken. Vehicle configuration information would be whether or not the door locks were automatic and could be locked using the device. This information would obviously be stored in a memory associated with the remote control device. Chuang does not teach a network interface for controlling a system in accordance with recovered commands and vehicle configuration information.

In an analogous art, Flick discloses a remote control system for a vehicle wherein a network interface controls a vehicle system in accordance with recovered commands from a key fob and vehicle configuration information (see Figures 1, 3, 5 and columns 5-10). It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to modify the voice

controlled remote control system taught by Chuang to include the vehicle network interface taught by Flick because a combination would result in a remote control device for use with a plurality of vehicles and for controlling a plurality of vehicle devices.

Regarding **claims 2 and 11**, Flick shows that vehicle configuration information is stored in a memory connected to the processor (Figures 3 and 4).

Regarding **claims 3 and 12**, Flick shows in Figure 1 that a processor (CPU) communicates with vehicle components over a network (column 5, lines 25-54). Each vehicle component includes configuration information for correct operation (Figures 3 and 5). Configuration information is needed for the processor to handle commands received from the fob correctly (column 8, lines 11-30).

As for **claim 8**, Chuang and Flick teach or suggest all of the limitations of the claim. Please refer to the claims above.

As for **claims 9 and 10**, while Chuang and Flick are silent as to the whether the RF signal is modulated in digital mode, it would have been obvious to one of ordinary skill in the art that signals could have been modulated in analog or digital mode. This limitation can be viewed as a matter of design.

4. Claims 4-6 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chuang in view of Flick as applied to the claims above, and further in view of Flick [6,249,216 A1].

As for **claims 4, 13, and 15**, Flick '876 discloses that a transmitter (31) may be positioned in the vehicle for transmitting information to a receiver (33) located in the fob. The fob comprises an output device connected to the receiver wherein the output device communicates the information to the fob user (column 5, lines 39-54). While Flick '876 does not specifically teach that result information is provided at the fob, the invention suggests that the transmitter and receiver may be used in many ways. It was well known in the art at the time of the invention by the applicant to provide a feedback signal to a fob device. Flick '216 teaches that a fob may include a display and a speaker for communicating to user (Figure 2). It would have been an obvious to one of ordinary skill in the art at the time of the invention by the applicant to provide a display and/or a speaker for notifying a user of occurrences in the remote control system. It would have been obvious because it would allow a user to determine from a remote location, actions that have taken place at a vehicle.

As for **claims 5, 6 and 14**, neither Chuang nor Flick '876 specifically disclose a key fob comprising a display screen. In an analogous art, Flick '216 discloses a key fob with a display screen (Figure 2 and paragraph 34). It would have been obvious to one of ordinary skill in the art at the time of the present invention that the fob taught by Flick '876 could have been modified to include the display screen and speaker taught by Flick '216. The motivation for this modification could have been to provide more specific information such as text or graphics to a fob user.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Each of the references cited teach remote keyless entry systems that were useful during the examination of the present application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M. Blount whose telephone number is (571) 272-2973. The examiner can normally be reached on 8:00 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eric M. Blount
Examiner
Art Unit 2636

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JEFFERY HOFSASS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600